

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number: 09/314,424  
Confirmation Number: 5182  
Filing Date: May 18, 1999  
Applicant(s): Bertram V. Burke  
Entitled: VOUCHERLESS REBATE SYSTEM  
Examiner: Jean D. JANVIER  
Group Art Unit: 3688  
Attorney Docket No.: 1357-3U (EPC 71)

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Mail Stop Appeal Brief - Patents  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION**

Sir:

In response to the Notification of Non-Complaint Appeal Brief dated January 8, 2009, Appellant files herewith an Amended Appeal Brief.

The concurrently filed Amended Appeal Brief has been revised from the timely filed March 18, 2008 Appeal Brief. While Appellant does not agree with the Examiner's determination that a summary of the claimed subject matter corresponding to dependant Claims 3, 6, 28 and 30 is required, Applicant has nonetheless addressed the Examiner's concerns as to these claims.

The Commissioner is hereby authorized to credit overpayments or charge payment of any additional fees associated with this communication to Deposit Account No. 090457.

Respectfully submitted,

Date: January 30, 2009

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